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5 **NOT FOR PUBLICATION**

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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Cibney R. Bello,) No. CV-09-0488-PHX-FJM

10 Plaintiff,)

11 vs.)

12 Washington Mutual Bank, et al.,)

13 Defendants.)

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10 **ORDER**

17 The court has before it defendants Long Beach Securities Corporation, Long Beach
18 Mortgage Loan Trust 2006-6, Deutsche Bank National Trust Company, WaMu Capital
19 Corporation, and California Reconveyance Company (the “Long Beach Defendants”) motion
20 to dismiss (doc. 8). Plaintiff did not respond to the motion. The Long Beach Defendants
21 then filed a motion for summary ruling (doc. 19). Again, plaintiff did not respond.

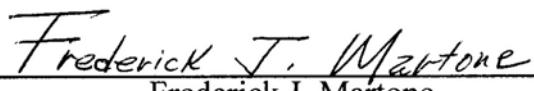
22 Under LRCiv 7.2(i), if a party “does not serve and file the required answering
23 memoranda . . . such non-compliance may be deemed a consent to the denial or granting of
24 the motion and the Court may dispose of the motion summarily.” We also construe
25 plaintiffs’ failure to respond to the motions as a failure to prosecute this action under Rule
26 41(b), Fed. R. Civ. P.

27 Therefore, pursuant to Rule 41(b) and LRCiv 7.2(i), **IT IS ORDERED GRANTING**
28 defendants’ motion to dismiss (doc. 8), **GRANTING** defendants’ motion for summary ruling

1 (doc. 19), and **DENYING** defendants' motion for extension of time to file an answer as moot
2 (doc. 7). Although four defendants, Pacific Gold Mortgage Group, LLC, Credit Suisse
3 International, Washington Mutual Bank, and Long Beach Mortgage Company do not
4 expressly join the motion to dismiss, we dismiss the complaint against these defendants as
5 well, based on plaintiff's failure to prosecute this case. See Fed. R. Civ. P. 41(b). The clerk
6 shall enter final judgment in favor of all defendants.

7 DATED this 10th day of June, 2009.

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11 Frederick J. Martone
12 United States District Judge

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